

ESTTA Tracking number: **ESTTA650053**

Filing date: **01/14/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Monster Energy Company
Granted to Date of previous extension	01/14/2015
Address	1 Monster Way Corona, CA 92879 UNITED STATES
Attorney information	Diane M. Reed, Jonathan Menkes KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN ST, 14TH FLOOR IRVINE, CA 92614 UNITED STATES efiling@knobbe.com, francie.leonguerrero@knobbe.com, doreen.buluran@knobbe.com Phone:949-760-0404

Applicant Information

Application No	86975385	Publication date	09/16/2014
Opposition Filing Date	01/14/2015	Opposition Period Ends	01/14/2015
Applicant	Marshawn Lynch 832 Sansome Street, 1st Floor San Francisco, CA 94111 UNITED STATES		

Goods/Services Affected by Opposition

Class 030. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Candy
Class 032. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Non-alcoholic beverages, namely, energy-drinks, sport drinks, coconut water


Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
--------------------------------------	----------------------------

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2769364	Application Date	12/18/2002
Registration Date	09/30/2003	Foreign Priority Date	NONE


Word Mark	UNLEASH THE BEAST!
Design Mark	
Description of Mark	NONE
Goods/Services	Class 032. First use: First Use: 2002/04/16 First Use In Commerce: 2002/04/16 Fruit juice drinks, soft drinks, carbonated soft drinks and soft drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs,[aerated water, soda water and seltzer water]

U.S. Registration No.	4394044	Application Date	12/14/2010
Registration Date	08/27/2013	Foreign Priority Date	NONE
Word Mark	UNLEASH THE NITRO BEAST!		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 032. First use: First Use: 2009/07/08 First Use In Commerce: 2009/07/08 Non-alcoholic beverages, namely, carbonated soft drinks; carbonated drinks enhanced with vitamins, minerals, nutrients,proteins, amino acids and/or herbs; carbonated energy or sports drinks		


U.S. Registration No.	4336329	Application Date	11/03/2010
Registration Date	05/14/2013	Foreign Priority Date	NONE
Word Mark	REHAB THE BEAST!		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 2011/03/02 First Use In Commerce: 2011/03/02 Ready to drink tea, iced tea and tea based beverages; ready to drink flavored tea, iced tea and tea based beverages		

	Class 032. First use: First Use: 2011/03/02 First Use In Commerce: 2011/03/02 Non-alcoholic beverages, namely, energydrinks, sports drinks and fruit juice drinks; all the foregoing enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs
--	---

U.S. Registration No.	4292502	Application Date	02/15/2012
Registration Date	02/19/2013	Foreign Priority Date	NONE
Word Mark	REHAB THE BEAST! WWW.MONSTERENERGY.COM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 2011/03/02 First Use In Commerce: 2011/03/02 Ready to drink tea, iced tea and tea based beverages; ready to drink flavored tea, iced tea and tea based beverages Class 032. First use: First Use: 2011/03/02 First Use In Commerce: 2011/03/02 Non-alcoholic beverages, namely, energydrinks, sports drinks and fruit juice drinks, all the foregoing enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs		

U.S. Registration No.	4371544	Application Date	11/19/2012
Registration Date	07/23/2013	Foreign Priority Date	NONE
Word Mark	UNLEASH THE ULTRA BEAST!		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 032. First use: First Use: 2012/08/30 First Use In Commerce: 2012/08/30 Non-alcoholic beverages, namely, carbonated soft drinks; carbonated drinks enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs; carbonated energy drinks and sports drinks		

U.S. Registration No.	4482659	Application Date	05/15/2013
Registration Date	02/11/2014	Foreign Priority Date	NONE
Word Mark	PUMP UP THE BEAST!		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2013/03/18 First Use In Commerce: 2013/03/18 Nutritional supplements in liquid form;vitamin fortified beverages		

U.S. Registration No.	4482660	Application Date	05/15/2013
Registration Date	02/11/2014	Foreign Priority Date	NONE
Word Mark	PUMP UP THE BEAST!		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 2013/03/18 First Use In Commerce: 2013/03/18 Dairy-based beverages; dairy-based energy shakes		

Attachments	85977331#TMSN.png(bytes) 85976727#TMSN.png(bytes) 85978208#TMSN.png(bytes) 85783008#TMSN.png(bytes) 85933255#TMSN.png(bytes) 85933264#TMSN.png(bytes) 2015-01-14-FINAL NTC OF OPP 86975385-BEAST MODE-HAN-BEV.2955M.PDF(396833 bytes) 2015-01-07 Exhibit 01 Reg No. 2769364-HANBEV.2955.pdf(738172 bytes)
-------------	--

	2015-01-07 Exhibit 02 Reg No. 4394044-HANBEV.2955.pdf(799463 bytes) 2015-01-07 Exhibit 03 Reg No. 4336329-HANBEV.2955.pdf(810878 bytes) 2015-01-07 Exhibit 04 Reg No. 4292502-HANBEV.2955.pdf(808797 bytes) 2015-01-07 Exhibit 05 Reg No. 4371544-HANBEV.2955.pdf(793042 bytes) 2015-01-07 Exhibit 06 Reg No 4482659-HANBEV.2955.pdf(787858 bytes) 2015-01-07 Exhibit 07 Reg No. 4482660-HANBEV.2955.pdf(786865 bytes)
--	---

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Jonathan Menkes/
Name	Diane M. Reed, Jonathan Menkes
Date	01/14/2015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

MONSTER ENERGY COMPANY,

Opposer,

v.

Marshawn Lynch,

Applicant.

)
)
) Opposition No.: _____
)
)
)

) Serial No.: 86/975385
)
)

) Mark: BEAST MODE
)
)
)
)

NOTICE OF OPPOSITION

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Dear Sir:

Monster Energy Company, a Delaware corporation, located and doing business at 1 Monster Way, Corona, California 92879, ("Opposer") believes that it will be damaged by registration of U.S. Trademark Application Serial No 86/975385 ("Application") for the mark BEAST MODE filed by Marshawn Lynch, ("Applicant") and therefore opposes the same.

As grounds for opposition, it is alleged:

1. By the Application filed on February 27, 2014, Applicant seeks to obtain registration on the Principal Register of the trademark BEAST MODE for "Non-alcoholic beverages, namely, energy drinks, sport drinks, coconut water" in International Class 32 and "Candy" in International Class 30.
2. Since at least 2002, long before the filing date of the Application, Opposer has

been, and still is, engaged in the development, production, marketing and sale of energy supplement drinks under the mark MONSTER ENERGY and related marks.

3. Since the launch of the MONSTER ENERGY® drink in 2002, Opposer has continuously used the UNLEASH THE BEAST! mark and related marks, including UNLEASH THE NITRO BEAST!, REHAB THE BEAST!, REHAB THE BEAST! WWW.MONSTERENERGY.COM, UNLEASH THE ULTRA BEAST!, and PUMP UP THE BEAST! (collectively, the “BEAST Marks”) on almost all cans of its MONSTER line of drinks, including on Opposer’s original Monster Energy® and Lo-Carb Monster Energy® products, Opposer’s full line of Monster Rehab® drinks, Opposer’s full line of Monster Energy Extra Strength Nitrous Technology® drinks, Opposer’s full line of MUSCLE MONSTER® drinks, and Opposer’s Monster Energy® Zero Ultra drinks.

4. Opposer’s BEAST Marks are the subject of substantial and continuous marketing and promotion by Opposer in connection with its MONSTER line of drinks. Opposer has and continues to widely market and promote its UNLEASH THE BEAST! mark in the industry and to consumers by displaying the UNLEASH THE BEAST! mark on billions of cans; on promotional and point of sale materials; on product samplings, apparel and merchandise; in magazines and other industry publications; on the MONSTER ENERGY® website and other Internet websites; at trade shows, concert tours and live events; and through sponsorship of athletes.

5. As a result, Opposer’s BEAST Marks have developed into well-known identifiers of Opposer and its high-quality, premium energy supplement drinks, as well as other items.

6. Opposer owns and relies on incontestable U.S. Trademark Registration 2,769,364 (the “364 Registration”) for the mark UNLEASH THE BEAST! for “Fruit juice drinks, soft

drinks, carbonated soft drinks and soft drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs” in International Class 32, which registration issued September 30, 2003 and is based on an application filed in the United States Patent and Trademark Office (“PTO”) on December 18, 2002. The filing date of Opposer’s ‘364 Registration is prior to the filing date of the Application. True and correct copies of the specifics of the ‘364 Registration obtained from the PTO’s TSDR, TESS and Assignment databases are attached hereto as Exhibit 1 and made of record.

7. Opposer owns and relies on U.S. Trademark Registration No. 4,394,044 (the “’044 Registration”) for the mark UNLEASH THE NITRO BEAST! for “Non-alcoholic beverages, namely, carbonated soft drinks; carbonated drinks enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs; carbonated energy or sports drinks” in International Class 32, which registration issued August 27, 2013 and is based on an application filed in the PTO on December 14, 2010. The filing date of Opposer’s ‘044 Registration is prior to the filing date of the Application. True and correct copies of the specifics of the ‘044 Registration obtained from the PTO’s TSDR and TESS databases are attached hereto as Exhibit 2 and made of record.

8. Opposer owns and relies on U.S. Trademark Registration No. 4,336,329 (the “’329 Registration”) for the mark REHAB THE BEAST! for “Ready to drink tea, iced tea and tea based beverages; ready to drink flavored tea, iced tea and tea based beverages” in International Class 30 and for “Non-alcoholic beverages, namely, energy drinks, sports drinks and fruit juice drinks; all the foregoing enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs” in International Class 32, which registration issued May 14, 2013 and is based on an application filed in the PTO on November 3, 2010. The filing date of Opposer’s ‘329 Registration is prior to the filing date of the Application. True and correct copies of the specifics

of Opposer's '329 Registration obtained from the PTO's TSDR and TESS databases are attached hereto as Exhibit 3 and made of record.

9. Opposer owns and relies on U.S. Trademark Registration No. 4,292,502 (the "'502 Registration") for the mark REHAB THE BEAST! WWW.MONSTERENERGY.COM for "Ready to drink tea, iced tea and tea based beverages; ready to drink flavored tea, iced tea and tea based beverages" in International Class 30 and for "Non-alcoholic beverages, namely, energy drinks, sports drinks and fruit juice drinks, all the foregoing enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs" in International Class 32, which registration issued February 19, 2013 and is based on an application filed in the PTO on February 15, 2012. The filing date of Opposer's '502 Registration is prior to the filing date of the Application. True and correct copies of the specifics of Opposer's '502 Registration obtained from the PTO's TSDR and TESS databases are attached hereto as Exhibit 4 and made of record.

10. Opposer owns and relies on U.S. Trademark Registration No. 4,371,544 (the "'544 Registration") for the mark UNLEASH THE ULTRA BEAST! for "Non-alcoholic beverages, namely, carbonated soft drinks; carbonated drinks enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs; carbonated energy drinks and sports drinks" in International Class 32, which registration issued July 23, 2013 and is based on an application filed in the PTO on November 19, 2012. The filing date of Opposer's '544 Registration is prior to the filing date of the Application. True and correct copies of the specifics of Opposer's '544 Registration obtained from the PTO's TSDR and TESS databases are attached hereto as Exhibit 5 and made of record.

11. Opposer owns and relies on U.S. Trademark Registration No. 4,482,659

(the “‘659 Registration”) for the mark PUMP UP THE BEAST! for “Nutritional supplements in liquid form; vitamin fortified beverages” in International Class 5, which registration issued February 11, 2014 and is based on an application filed in the PTO on May 15, 2013. The filing date of Opposer’s ‘659 Registration is prior to the filing date of the Application. True and correct copies of the specifics of Opposer’s ‘659 Registration obtained from the PTO’s TSDR and TESS databases are attached hereto as Exhibit 6 and made of record.

12. Opposer owns and relies on U.S. Trademark Registration No. 4,482,660 (the “‘660 Registration”) for the mark PUMP UP THE BEAST! for “Dairy-based beverages; dairy-based energy shakes” in International Class 29, which registration issued February 11, 2014 and is based on an application filed in the PTO on May 15, 2013. The filing date of Opposer’s ‘660 Registration is prior to the filing date of the Application. True and correct copies of the specifics of Opposer’s ‘660 Registration obtained from the PTO’s TSDR and TESS databases are attached hereto as Exhibit 7 and made of record.

13. Opposer’s ‘364, ‘044, ‘329, ‘502, ‘544, ‘659, and ‘660 Registrations are valid, subsisting, unrevoked and uncanceled; as such they constitute *prima facie* evidence of the validity of the registered marks and of the registrations thereof, and of Opposer’s ownership of the marks shown therein. Opposer’s registrations also constitute notice to Applicant of Opposer’s claim of ownership of the marks shown therein as provided in Sections 7(b), 22 and 33(a) of the Trademark Act.

14. Opposer’s ‘364 Registration as specified in Paragraph 6 above is incontestable. As such, it constitutes conclusive evidence of the validity of the registered mark and of the registration of the mark, of Opposer’s ownership of its mark, and of Opposer’s exclusive right to use the registered mark in commerce as provided in Section 33 of the Lanham Act, 15 U.S.C. § 1115.

15. Since at least before the filing date of the Application, Opposer has continuously used and promoted the UNLEASH THE BEAST! Mark shown in the '364 Registration in interstate commerce in connection with its goods, including the goods identified in such Registration. By virtue of Opposer's continuous and substantial use, this mark has become a famous identifier of Opposer and its goods, and distinguishes Opposer's goods from the goods of others. As a result, Opposer has built up, at great expense and effort, valuable goodwill in the UNLEASH THE BEAST! Mark.

16. Since at least before the filing date of the Application, Opposer has continuously used and promoted the UNLEASH THE NITRO BEAST!, REHAB THE BEAST!, REHAB THE BEAST! WWW.MONSTERENERGY.COM, UNLEASH THE ULTRA BEAST!, and PUMP UP THE BEAST! marks shown in the '044, '329, '502, '544, '659, and '660 Registrations in interstate commerce in connection with its goods, including the goods identified in such Registrations. By virtue of Opposer's continuous and substantial use, these marks have become identifiers of Opposer and its goods, and distinguish Opposer's goods from the goods of others. As a result, Opposer has built up, at great expense and effort, valuable goodwill in the UNLEASH THE NITRO BEAST!, REHAB THE BEAST!, REHAB THE BEAST! WWW.MONSTERENERGY.COM, UNLEASH THE ULTRA BEAST!, and PUMP UP THE BEAST! marks.

17. In addition to the protection afforded Opposer by its federal trademark registrations, Opposer has extensive common law rights in its BEAST Marks throughout the United States having sold billions of dollars worth of goods bearing Opposer's BEAST Marks. Opposer's common law rights in its BEAST Marks predate the filing date of the Application. Opposer relies on its common law trademark rights in Opposer's BEAST Marks.

18. Through extensive use and promotion, Opposer's BEAST Marks have become famous for Opposer's goods since well before the filing date of the Application. Opposer's well-known BEAST Marks are global brands that have appeared on billions of beverage cans and in extensive nationwide promotions.

19. The Application was filed on February 27, 2014 and is based on Applicant's intent-to-use the mark in interstate commerce. Opposer's use of its BEAST Marks predates the filing date of Applicant's mark.

20. Applicant seeks an unrestricted federal registration for BEAST MODE covering the goods set forth in the application in Classes 30 and 32. As such, if a registration issues for the Application, such registration will constitute prima facie evidence of the Applicant's exclusive right to use the registered mark in commerce on or in connection with the listed goods throughout the United States with no limitation thereon.

21. Opposer will be damaged by registration of the Application in that the BEAST MODE mark so resembles Opposer's BEAST Marks registered and applied for in the United States Patent and Trademark Office, and in which Opposer owns common law trademark rights, as to be likely, when used on or in connection with the goods identified in the Application, as to cause confusion, or to cause mistake or to deceive within the meaning of Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d).

22. In view of Opposer's prior rights in its BEAST Marks, Applicant is not entitled to federal registration of the BEAST MODE mark pursuant to Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d).

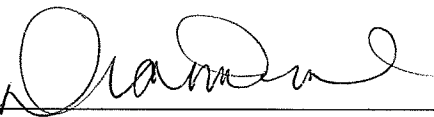
WHEREFORE, Opposer prays that U.S. Trademark Application Serial No. 86/975385 be rejected and stricken, that no registration be issued thereon to Applicant, and that this opposition be sustained in favor of Opposer.

Please charge Deposit Account No. 11-1410 to cover the opposition fee and any additional fees which may be required, or credit any overpayment to this account.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP


Dated: 1/14/15

By: 
Steven J. Nataupsky
Diane M. Reed
Jonathan A. Menkes
2040 Main Street, Fourteenth Floor
Irvine, CA 92614
(949) 760-0404
efiling@knobbe.com
Attorneys for Opposer,
MONSTER ENERGY COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a complete copy of the foregoing **NOTICE OF OPPOSITION** has been served on Applicant's counsel by depositing one copy thereof in the United States Mail, first class postage prepaid on January 14, 2015, addressed as follows:

Rosaleen Chou
KILPATRICK TOWNSEND & STOCKTON LLP
2 Embarcadero Center, Floor 8
San Francisco, California 94111

Signature: 

Name: Doreen P. Buluran, Paralegal

Date: January 14, 2015

19484698
120514

TTAB Opposition No. _____
Monster Energy Company v. Marshawn Lynch

EXHIBIT 1



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Jan 7 03:20:58 EST 2015

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [BOTTOM](#) [HELP](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

[TSDR](#)

[ASSIGN Status](#)

[TTAB Status](#)

(Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark	UNLEASH THE BEAST!
Goods and Services	IC 032. US 045 046 048. G & S: Fruit juice drinks, soft drinks, carbonated soft drinks and soft drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs,[aerated water, soda water and seltzer water]. FIRST USE: 20020416. FIRST USE IN COMMERCE: 20020416
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	78195777
Filing Date	December 18, 2002
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	July 8, 2003
Registration Number	2769364
International Registration Number	0885429
Registration Date	September 30, 2003
Owner	(REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE 550 Monica Circle Suite 201 Corona CALIFORNIA 92880 (LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Diane M. Reed
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20121017.
Renewal	1ST RENEWAL 20121017
Live/Dead Indicator	LIVE

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH Q&A](#) [TOP](#) [HELP](#)

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)



Assignments on the Web > [Trademark Query](#)

Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: [78195777](#)

Filing Dt: 12/18/2002

Reg #: [2769364](#)

Reg. Dt: 09/30/2003

Registrant: Hansen Beverage Company

Mark: UNLEASH THE BEAST!

Assignment: 1

Reel/Frame: [4699/0063](#)

Recorded: 01/13/2012

Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)

550 MONICA CIRCLE, SUITE 201

CORONA, CALIFORNIA 92880

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: DIANE M. REED

2040 MAIN STREET, 14TH FLOOR

IRVINE, CA 92614

Search Results as of: 01/07/2015 05:48 PM
If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v2.5
Web interface last modified: July 25, 2014 v2.5

[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

Int. Cl.: 32

Prior U.S. Cls.: 45, 46 and 48

Reg. No. 2,769,364

United States Patent and Trademark Office

Registered Sep. 30, 2003

**TRADEMARK
PRINCIPAL REGISTER**

UNLEASH THE BEAST!

HANSEN BEVERAGE COMPANY (DELAWARE
CORPORATION)
1010 RAILROAD STREET
CORONA, CA 92882

FOR: FRUIT JUICE DRINKS, SOFT DRINKS,
CARBONATED SOFT DRINKS AND SOFT DRINKS
ENHANCED WITH VITAMINS, MINERALS, NU-
TRIENTS, AMINO ACIDS AND/OR HERBS, AERA-

TED WATER, SODA WATER AND SELTZER
WATER, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 4-16-2002; IN COMMERCE 4-16-2002.

SER. NO. 78-195,777, FILED 12-18-2002.

BRENDAN REGAN, EXAMINING ATTORNEY

EXHIBIT 2



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Jan 7 03:20:58 EST 2015

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [BOTTOM](#) [HELP](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

[TSDR](#) [ASSIGN Status](#) [TTAB Status](#) *(Use the "Back" button of the Internet Browser to return to TESS)*

UNLEASH THE NITRO BEAST!

Word Mark	UNLEASH THE NITRO BEAST!
Goods and Services	IC 032. US 045 046 048. G & S: Non-alcoholic beverages, namely, carbonated soft drinks; carbonated drinks enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs; carbonated energy or sports drinks. FIRST USE: 20090708. FIRST USE IN COMMERCE: 20090708
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85977331
Filing Date	December 14, 2010
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	April 26, 2011
Registration Number	4394044
Registration Date	August 27, 2013
Owner	(REGISTRANT) MONSTER ENERGY COMPANY CORPORATION DELAWARE 550 MONICA CIRCLE, SUITE 201 CORONA CALIFORNIA 92880
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Cindy N. Nguyen
Prior Registrations	2769364

Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE LIST	SEARCH OG	TOP	HELP
---------------------------	--------------------------	----------------------------	---------------------------	-----------------------------	---------------------------	---------------------	----------------------

[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)



[Assignments on the Web](#) > [Trademark Query](#)

No assignment has been recorded at the USPTO

For Serial Number: 85977331

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v2.5
Web interface last modified: July 25, 2014 v2.5

[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

United States of America

United States Patent and Trademark Office

UNLEASH THE NITRO BEAST!

Reg. No. 4,394,044

Registered Aug. 27, 2013

Int. Cl.: 32

TRADEMARK

PRINCIPAL REGISTER

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE, SUITE 201
CORONA, CA 92880

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, CARBONATED SOFT DRINKS; CARBONATED DRINKS ENHANCED WITH VITAMINS, MINERALS, NUTRIENTS, PROTEINS, AMINO ACIDS AND/OR HERBS; CARBONATED ENERGY OR SPORTS DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 7-8-2009; IN COMMERCE 7-8-2009.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 2,769,364.

SN 85-977,331, FILED 12-14-2010.

TAMARA FRAZIER, EXAMINING ATTORNEY



Lisa M. Smith

Acting Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

EXHIBIT 3



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Jan 7 03:20:58 EST 2015

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [BOTTOM](#) [HELP](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

[TSDR](#) [ASSIGN Status](#) [TTAB Status](#) *(Use the "Back" button of the Internet Browser to return to TESS)*

REHAB THE BEAST!

Word Mark REHAB THE BEAST!

Goods and Services IC 030. US 046. G & S: Ready to drink tea, iced tea and tea based beverages; ready to drink flavored tea, iced tea and tea based beverages. FIRST USE: 20110302. FIRST USE IN COMMERCE: 20110302

IC 032. US 045 046 048. G & S: Non-alcoholic beverages, namely, energy drinks, sports drinks and fruit juice drinks; all the foregoing enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs. FIRST USE: 20110302. FIRST USE IN COMMERCE: 20110302

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85976727

Filing Date November 3, 2010

Current Basis 1A

Original Filing Basis 1B

Published for Opposition June 14, 2011

Registration Number 4336329

International Registration Number 1079467

Registration Date May 14, 2013

Owner (REGISTRANT) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way
Corona CALIFORNIA 92879

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Diane M. Reed
Prior Registrations 2769364
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH Q&A	TOP	HELP
---------------------------	--------------------------	----------------------------	---------------------------	-----------------------------	--------------------------------	---------------------	----------------------

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)



[Assignments on the Web](#) > [Trademark Query](#)

No assignment has been recorded at the USPTO

For Serial Number: 85976727

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v2.5
Web interface last modified: July 25, 2014 v2.5

[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

United States of America

United States Patent and Trademark Office

REHAB THE BEAST!

Reg. No. 4,336,329

Registered May 14, 2013

Int. Cls.: 30 and 32

TRADEMARK

PRINCIPAL REGISTER

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE, SUITE 201
CORONA, CA 92880

FOR: READY TO DRINK TEA, ICED TEA AND TEA BASED BEVERAGES; READY TO DRINK FLAVORED TEA, ICED TEA AND TEA BASED BEVERAGES, IN CLASS 30 (U.S. CL. 46).

FIRST USE 3-2-2011; IN COMMERCE 3-2-2011.

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, ENERGY DRINKS, SPORTS DRINKS AND FRUIT JUICE DRINKS; ALL THE FOREGOING ENHANCED WITH VITAMINS, MINERALS, NUTRIENTS, PROTEINS, AMINO ACIDS AND/OR HERBS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 3-2-2011; IN COMMERCE 3-2-2011.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 2,769,364.

SN 85-976,727, FILED 11-3-2010.

TAMARA FRAZIER, EXAMINING ATTORNEY



Lisa M. Smith

Acting Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

EXHIBIT 4



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Jan 7 03:20:58 EST 2015

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [BOTTOM](#) [HELP](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

[TSDR](#) [ASSIGN Status](#) [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

REHAB THE BEAST!
WWW.MONSTERENERGY.COM

Word Mark	REHAB THE BEAST! WWW.MONSTERENERGY.COM
Goods and Services	IC 030. US 046. G & S: Ready to drink tea, iced tea and tea based beverages; ready to drink flavored tea, iced tea and tea based beverages. FIRST USE: 20110302. FIRST USE IN COMMERCE: 20110302 IC 032. US 045 046 048. G & S: Non-alcoholic beverages, namely, energy drinks, sports drinks and fruit juice drinks, all the foregoing enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs. FIRST USE: 20110302. FIRST USE IN COMMERCE: 20110302
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85978208
Filing Date	February 15, 2012
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	May 1, 2012
Registration Number	4292502
Registration Date	February 19, 2013
Owner	(REGISTRANT) Monster Energy Company CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879
Attorney of Record	Diane M. Reed
Prior Registrations	3353473

Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE LIST	SEARCH OG	TOP	HELP
---------------------------	--------------------------	----------------------------	---------------------------	-----------------------------	---------------------------	---------------------	----------------------

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)



[Assignments on the Web](#) > [Trademark Query](#)

No assignment has been recorded at the USPTO

For Serial Number: 85978208

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v2.5
Web interface last modified: July 25, 2014 v2.5

[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

United States of America

United States Patent and Trademark Office

REHAB THE BEAST!
WWW.MONSTERENERGY.COM

Reg. No. 4,292,502

Registered Feb. 19, 2013

Int. Cls.: 30 and 32

TRADEMARK

PRINCIPAL REGISTER

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)
SUITE 201
550 MONICA CIRCLE
CORONA, CA 92880

FOR: READY TO DRINK TEA, ICED TEA AND TEA BASED BEVERAGES; READY TO DRINK FLAVORED TEA, ICED TEA AND TEA BASED BEVERAGES, IN CLASS 30 (U.S. CL. 46).

FIRST USE 3-2-2011; IN COMMERCE 3-2-2011.

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, ENERGY DRINKS, SPORTS DRINKS AND FRUIT JUICE DRINKS, ALL THE FOREGOING ENHANCED WITH VITAMINS, MINERALS, NUTRIENTS, PROTEINS, AMINO ACIDS AND/OR HERBS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 3-2-2011; IN COMMERCE 3-2-2011.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 3,353,473.

SER. NO. 85-978,208, FILED 2-15-2012.

GEOFFREY FOSDICK, EXAMINING ATTORNEY



Lisa M. Smith

Acting Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

EXHIBIT 5



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Jan 7 03:20:58 EST 2015

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DATA](#) [SEARCH OG](#) [BOTTOM](#) [HELP](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

[TSDR](#) [ASSIGN Status](#) [TTAB Status](#) *(Use the "Back" button of the Internet Browser to return to TESS)*

UNLEASH THE ULTRA BEAST!

Word Mark	UNLEASH THE ULTRA BEAST!
Goods and Services	IC 032. US 045 046 048. G & S: Non-alcoholic beverages, namely, carbonated soft drinks; carbonated drinks enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs; carbonated energy drinks and sports drinks. FIRST USE: 20120830. FIRST USE IN COMMERCE: 20120830
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85783008
Filing Date	November 19, 2012
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	May 7, 2013
Registration Number	4371544
Registration Date	July 23, 2013
Owner	(REGISTRANT) Monster Energy Company CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879
Attorney of Record	Diane M. Reed
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICTIONARY	SEARCH OGS	TOP	HELP
---------------------------	--------------------------	----------------------------	---------------------------	-----------------------------------	----------------------------	---------------------	----------------------

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)



[Assignments on the Web](#) > [Trademark Query](#)

No assignment has been recorded at the USPTO

For Serial Number: 85783008

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v2.5
Web interface last modified: July 25, 2014 v2.5

[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

United States of America

United States Patent and Trademark Office

UNLEASH THE ULTRA BEAST!

Reg. No. 4,371,544

Registered July 23, 2013

Int. Cl.: 32

TRADEMARK

PRINCIPAL REGISTER

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE SUITE 201
CORONA, CA 92880

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, CARBONATED SOFT DRINKS; CARBONATED DRINKS ENHANCED WITH VITAMINS, MINERALS, NUTRIENTS, PROTEINS, AMINO ACIDS AND/OR HERBS; CARBONATED ENERGY DRINKS AND SPORTS DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 8-30-2012; IN COMMERCE 8-30-2012.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 85-783,008, FILED 11-19-2012.

REGINA DRUMMOND, EXAMINING ATTORNEY



Lisa M. Smith

Acting Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

EXHIBIT 6



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Jan 7 03:20:58 EST 2015

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

[TSDR](#) | [ASSIGN Status](#) | [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

PUMP UP THE BEAST!

Word Mark	PUMP UP THE BEAST!
Goods and Services	IC 005. US 006 018 044 046 051 052. G & S: Nutritional supplements in liquid form; vitamin fortified beverages. FIRST USE: 20130318. FIRST USE IN COMMERCE: 20130318
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85933255
Filing Date	May 15, 2013
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	August 27, 2013
Registration Number	4482659
Registration Date	February 11, 2014
Owner	(REGISTRANT) Monster Energy Company CORPORATION DELAWARE 550 Monica Circle, Suite 201 Corona CALIFORNIA 92880
Attorney of Record	Diane M. Reed
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [Top](#) | [HELP](#)

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)



[Assignments on the Web](#) > [Trademark Query](#)

No assignment has been recorded at the USPTO

For Serial Number: 85933255

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v2.5
Web interface last modified: July 25, 2014 v2.5

[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

United States of America

United States Patent and Trademark Office

PUMP UP THE BEAST!

Reg. No. 4,482,659

Registered Feb. 11, 2014

Int. Cl.: 5

TRADEMARK

PRINCIPAL REGISTER

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE, SUITE 201
CORONA, CA 92880

FOR: NUTRITIONAL SUPPLEMENTS IN LIQUID FORM; VITAMIN FORTIFIED BEVERAGES,
IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 3-18-2013; IN COMMERCE 3-18-2013.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 85-933,255, FILED 5-15-2013.

JAY FLOWERS, EXAMINING ATTORNEY



Nichelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

EXHIBIT 7



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Jan 7 03:20:58 EST 2015

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

[TSDR](#) | [ASSIGN Status](#) | [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

PUMP UP THE BEAST!

Word Mark	PUMP UP THE BEAST!
Goods and Services	IC 029. US 046. G & S: Dairy-based beverages; dairy-based energy shakes. FIRST USE: 20130318. FIRST USE IN COMMERCE: 20130318
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85933264
Filing Date	May 15, 2013
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	August 27, 2013
Registration Number	4482660
Registration Date	February 11, 2014
Owner	(REGISTRANT) Monster Energy Company CORPORATION DELAWARE 550 Monica Circle, Suite 201 Corona CALIFORNIA 92880
Attorney of Record	Diane M. Reed
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [Top](#) | [HELP](#)

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)



[Assignments on the Web](#) > [Trademark Query](#)

No assignment has been recorded at the USPTO

For Serial Number: 85933264

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v2.5
Web interface last modified: July 25, 2014 v2.5

[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

United States of America

United States Patent and Trademark Office

PUMP UP THE BEAST!

Reg. No. 4,482,660

Registered Feb. 11, 2014

Int. Cl.: 29

TRADEMARK

PRINCIPAL REGISTER

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE, SUITE 201
CORONA, CA 92880

FOR: DAIRY-BASED BEVERAGES; DAIRY-BASED ENERGY SHAKES, IN CLASS 29 (U.S. CL. 46).

FIRST USE 3-18-2013; IN COMMERCE 3-18-2013.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 85-933,264, FILED 5-15-2013.

JAY FLOWERS, EXAMINING ATTORNEY



Nichelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.